

**From:** Margaret Bupp  
**To:** Kelly\_Canfield@ceq.eop.gov  
**Date:** 11/24/03 10:33AM  
**Subject:** NEPA survey

This is in response to the Counsel on Environmental Quality's annual survey on NEPA litigation.  
If you have any questions, please contact me at 301-415-3722 or [mjb5@nrc.gov](mailto:mjb5@nrc.gov).  
Thank you,  
Molly Bupp

**CC:** Siurano-Perez, Osiris

**Mail Envelope Properties** (3FC224B0.6F4 : 17 : 52483)

**Subject:** NEPA survey  
**Creation Date:** 11/24/03 10:33AM  
**From:** Margaret Bupp

**Created By:** MJB5@nrc.gov

**Recipients**

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OSP CC (Osiris Siurano-Perez)

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<b>Files</b>	<b>Size</b>	<b>Date &amp; Time</b>
2002 NEPA Survey11.xls	457216	11/21/03 03:48PM
MESSAGE	1035	11/24/03 10:33AM

**Options**

**Expiration Date:** None  
**Priority:** Standard  
**Reply Requested:** No  
**Return Notification:** None

**Concealed Subject:** No  
**Security:** Standard

**NEPA Litigation Survey - Cases Filed or Pending in 2002**

**Agency Name:** Nuclear Regulatory Commission  
**Division Name:** Office of the General Counsel  
**Completed by:** Molly Bupp  
**Contact Info:** 301-415-3722; mjb5@nrc.gov

Case Filed (Year)	Case Name	Case Citation	Plaintiff Type	Federal Activity	Case Outcome	Basis for Outcome
2001	Orange County v. NRC	Orange County v. NRC, Nos. 01-1073 & 01-1246 (D.C. Cir.)	Local Government [if other, explain here; if combination, list here]	Approval to expand fuel storage facility.	Judgment for Defendant [if other, explain here; if combination, list here]	Other/combo (explain/) No error in Commission's judgement
2002	Ohngo Gaudadeh Devia v. NRC	Ohngo Gaudadeh Devia v. NRC, No. 02-9583 (10th Cir.)	Indian Tribes [if other, explain here; if combination, list here] Business Groups	Acceptance of a license application for a fuel storage	Dismissal w/o settlement [if other, explain here; if combination, list here] Judgment for Defendant	Jurisdictional Issues [if other, explain here; if combination, list here] N/A - Pending

No Litigation  
 (checkbox if no litigation  
 filed/pending in 2009)

Details for Federal Action Basis	Details for EIS Basis	Details for SEIS Basis	Details for FONSI Basis	Details for EA Basis
N/A ▼	N/A ▼	N/A ▼	N/A ▼	N/A ▼
[explanation/comments here]	[explanation/comments here]	[explanation/comments here]	[explanation/comments here]	[explanation/comments here]
N/A ▼	N/A ▼	N/A ▼	N/A ▼	N/A ▼
[explanation/comments here]	[explanation/comments here]	[explanation/comments here]	[explanation/comments here]	[explanation/comments here]
N/A ▼	N/A ▼	N/A ▼	N/A ▼	N/A ▼

Other Info